IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 3118 of 1999

For Approval and Signature:

        Hon'ble MR.JUSTICE M.H.KADRI
                        and
        Hon'ble MR.JUSTICE D.P.BUCH

 ==
 1. Whether Reporters of Local Papers may be allowed   : NO
    to see the judgements?

 2. To be referred to the Reporter or not?   : NO

 3. Whether Their Lordships wish to see the fair copy   : NO
    of the judgement?

 4. Whether this case involves a substantial question   : NO
    of law as to the interpretation of the Constitution
    of India, 1950 of any Order made thereunder?

 5. Whether it is to be circulated to the Civil Judge?   : NO

    AHMEDABAD MUNICIPAL   CORPORATION
Versus
    AMBICA SCALE MFG. WORKS

    Appearance:
        MR BP TANNA for Petitioner
        MS ROOPAL R PATEL for Respondent No. 1

        CORAM : MR.JUSTICE M.H.KADRI
                        and
                MR.JUSTICE D.P.BUCH

    Date of decision: 02/08/2000

ORAL JUDGEMENT
     The appellant-Ahmedabad Municipal
    Corporation has filed this appeal under Section 411 of

the Bombay Provincial Municipal Corporations Act, 1949 (for short, 'the Act') challenging the judgment and order dated 15.10.1992 passed by the learned Judge, Small Causes Court, Court No.5 at Ahmedabad in Municipal Valuation Appeal No.10118/91 whereby the learned Judge, while allowing the appeal, set aside the assessment made by the Appellant-Corporation for the premises belonging to the respondent situated in Ward Naroda-A bearing M.C. No.672/20/6 for the Assessment Years 1990-91. During the course of hearing of the appeal, learned Advocate Ms. Sudha Gangwar made a statement at the Bar that the respondent had accepted the assessment made by the Corporation and has paid the amount of property tax. Hence nothing survives to be done in this appeal.

2. In view of the statement made by the learned Advocate for the respondent, the impugned order of the learned Judge, Small Causes Court, Court No.5, Ahmedabad is quashed and set aside and the appeal is accordingly allowed. There shall be no order as to costs.

2.8.2000   [M H Kadri, J.]

    [D P Buch, J.]
msp.